CONVICT SCORES IN TILT WITH LAWYER

Burns, Confessing to Save Baksa Girl, Amazes and Amuses Court Room.

HAS LEGAL KNOWLEDGE

Admits Numerous Crimes, Confuses Prosecutor and Makes Judge Laugh.

James F. Burns, in Sing Sing under the name of Regan, confessed in court yesterday that he and not Elizabeth Baksa murdered Mrs. Helen Hamel,

for whose death the girl is being tried. His native acuteness made him a car with. pert and fascinating witness. He argued with the Judge, upset the prosecutor by his knowledge of law, blandly confessed to numerous crimes, includ the allenists who recently examined LICENSE LOST FOR him, and when pressed too hard took refuge in techinal objections, in which Judge Rosalsky was forced to sustain him.- He time and again provoked laughter by his unexpected frankness and evident pride in his professional ccomplishments.

Burns's reason for confessing, h aid, was pity for the girl and a desire to see justice done her, although in the next breath he admitted that perhaps he wasn't the sort of person who would be interested in justice as a general proposition,

"Did your conscience trouble you" ey, rigorously probing for his construction of a motive.

"Well," said Burns casily, "I don't know as I have any from what I've

Tells of His Exploits.

He crooked one leg over the other as he told of his many midnight excursions into other people's homes and of a career so successful that he was able, when he chose, to buy an expensive automobile in which he could trail ils other prospective victims and beome acquainted with their habits.

the occasion of his last conviction. and pointing out to them houses he

"One of them was, I think, the home of a minister next to Judge Dike's," he said reminiscently.

Why didn't you rob Judge Dike's? he was asked. "Well, I would have, but he was

he said quickly, and a laugh rippled over the court in which Judge Rosalsky joined. The only things Burns refused to divulge were the name of his partner pageant which was staged by the buin the Hamel murder, or details of

the crime he committed in the days when he spent part of his time following Mrs. Hamel in his automobile. The morning of the murder, February 13. West Twenty-third street about 11 o'clock and stood for a time across the street watching the Hamel house. He had a revolver and a blacktack in

"We saw two men enter and my or fiften minutes before I entered." How did you go in?

went in through the door," he said, yawning. "Did you see a girl?"

"No, not until we went out." 'Did you see anybody go out

She dashed out a door leading into the hall near the front of the house he said, and he followed her to th street to see if she went in the direction of the West Twentieth street police station. Then he went back and saw his partner again. He had hold of Mrs. Hamel.

Saw Her "Cave In." He Says.

then she sagged, sort of caved in. as I went in the room."

At this point Judge Rosalsky again took occasion to warn him that his testimony could be used against him. but Burns repeated that he appeared voluntarily and that he fully appreclated what the effect of his testimony "What did you see in the kitchen.

er do after you saw your partner and 'I tied a towel around her neck," he

Then Burns ran up stairs and took what money and jewelry he could find. He went outside, signalled to his partner and they both left. Later they net in Harlem, at a place he refused mention, and divided up the money. He didn't get as much as he expected, said, because he forgot the mattress in which was \$2,400

"Do you care for this girl?" No, why should I care for her.

I never saw her before." "You know of your own knowledge that this girl didn't kill Mrs. Hamel?" sught to," was the reply.

When Mr. Talley took Burns in hand it was with the attempt to show Motor Corps of America at the openthe admitted that in April of his year he had written to District Attorney Swann that he had information about

Had a Motive for Lying.

He said he had told detectives that had pegged a bullet futo the Yot, but that it was not the truth; that he

and an object in doing it Burns had a lively little tilt with Mr. Talley when the prosecutor tried kitchen and a large reception room. to find out where it was that Burns had twice tried to commit suicide by his concession to Mr. Talley to "bring

A little later Mr. Tailey took up his last conviction in Brooklyn, when there were five other indictments sullty and said he was told that the \$1,000,000. His widow, Margaret Grant away, the committee hopes,

life as an habitual criminal?" asked cipal of which is to go on her death

"I knew I could not." Amazement on the part of the proseutor, and Judge Rosalsky asked him why he made such a positive state-

as an habitual criminal.

Mr. Talley attempted later to find out what his object was in telling District Attorney Swann why he said he killed Harry the Yop over a division of the spoils of a burglary, but after Burns had protested and explained privately to Judge Rosalsky what his easons were he was sustained in his refusal to answer.

burglary than to admit murder?" he was asked. "Why, yes, of course," he replied.

'I might get twenty years for this and

then I would have it wrapped around my neck for the others.' "I take it that you mean you are familiar with the laws of commutation and compensation?" asked Judge Rosalsky with a smile at his precocious

witness. "Yes," said Burns decidedly. That was the reason he wouldn't tell where he got \$1,699 which he gave

his partner to buy a seven passenger "On the ground that it would incriminate you?" asked Judge Rosal-

"Yes," said Burns, chuckling

HIGH FOOD PROFITS

Italian Importing Company Put Out of Business Until Dec. 30 at Least.

The license of the Italian Importing Company, 426 Washington street asked Assistant District Attorney Tal- has been revoked by the Food Administration for exceeding the maximum margins in canned tomatoes.

At a hearing before John Mitchell chairman of the Federal Food Board and Arthur Williams, Federal Food Administrator for this city, it was alleged that an examination of the of \$2,717.82 between February and September, 1918. Mr. Cipolia, president of the company, the record says conceded excess margins of \$1,853.55. The board recommended a suspension He smiled easily as he told of go- of the company's license for one week ng about with Brooklyn detectives on with the alternative of contributing canned goods to the amount of the

excess margies to the Red Cross. "Cipolla offered to contribute \$1,000 to the Red Cross, which was declined." an official statement of the board says The board then recommended that the company's license be revoked. Application for renewal will be considered on December 30.

Real Belgian refugees, small girls from the French Day Nursery in Twenty-eighth street, took part yesterday afternoon in a fifteen minute reau of conservation of the Federal Food Board on the steps of the Public Library, Fifth avenue and Forty-second street. The pageant, was a feature of "conservation week for world re and his partner went down to lief," and will be repeated each after-

noon at 3:20 o'clock during the week. Miss Margaret Vale, a niece of President Wilson, represented "Starving Europe"; Miss Alice Clark "Beneficent America" and Mrs. Augustine Duncan the "Angel of Mercy." Pupils of the partner went in about half past 12 or Washington Irving High School, Boy so, or 1 o'clock. I stood outside ten Scouts from Public School 27 and the now happy little Belgians helped the grownups picture the story of the appeal for food in the stricken countries the loading of food on the "good ship size model of a caravel, the unloading of the good things and their distribution. The Hebrew Orphan Asylum

SWIFT DENIES CHARGES.

Band furnished the music.

Packer Calls Commission's Allegations a "Rehash."

Louis F. Swift, president of Swift & Co., denied yesterday the charges made "I saw a struggle going on, and the five great packers of the country were engaged in a combination to control the meat business.

"In so far as we know" said Mr. Swift, "and so far as Swift & Co. is concerned, there is no foundation for the Federal Trade Commission's re- indeed, for she wore a train. peated charges of combination.

many times and are now resurrected antagonism toward the packing industive and devoted at this time to stabil-

WOUNDED OFFICERS GUESTS. Motor Corps of America Opens

New Garage and Barracks.

Army officers recovering at Base to-day, Hospital 3 from wounds received in rimes was almost a habit with him. that organization at Packard street City.

the murder of Harry Cohen, called larry the Yor, a gambler whose death larry the Committee of Women on National Description of the City. The building was offered to nis courts. He also consted a trust fund to the Motor Corps, the income of which is to be used for maintenance.

The garage will accommodate twenty cars. There are fourteen sleeping ers when they are on late service.

KRAUTHOFF LEFT \$1.000.000

Widow and Son Are Chief Beneficinries in His Will. Louis C. Krauthoff, who died Octo-

to their son, Philip C. Krauthoff of

Two slaters get \$36,000 each and two brothers \$10,060 each. One of the latter is Brig.-Gen. Charles R. Krauthoff. of had only been convicted twice for Quartermasters Corps. A. E. F.

felonies," he explained. The law requires four convictions before sentence MRS. WARNER GAY, WAITERS' STRIKE "Well, he is certainly right on the SAYS FATHER-IN-LAW

Sugar Refiner Tells of Kicking Corespondent Out of the Party.

"Do you think it worse to admit SHOW GIRL'S RAID TALE 240 "HELP" WALK OUT

ways Acted Like a Gentleman Should" at Inn.

Charles M. Warner, head of the Warner Sugar Refining Company and fore Justice Scudder and a jury in the Supreme Court at Mineola yesterday duced at the trial of his son's divorce a sanitarium. Mrs. Warner stayed at the Warner place at Kensington, darkness

Great Neck, where the elder Warner

his son and daughter-in-law.

While his son still was in the sanhim to go to dinner at her home. testimony, to call the younger Mrs. that he was unable to meet their de-Warner on the telephone and tell her mands, which he said represented a

he could not keep the dinner engage- \$40,000 annual increase of his payroll House Was All Lit J'p.

later and Mr. Warner said he did run doubt whether he would be able to redown to Kensington. He found the open to-night. house alight and his daughter-in-law company's books showed excess profits considerable size. He looked around by the hotel and restaurant men. The of \$2,717.82 between February and for his son's wife, but she was "in the hotels, it is said by the hotel men's asbeen named as corespondent.

"She came up to me and introduced him," Mr. Warner testified. 'Yes, I have heard of him,' and grabbed him by the throat, then only where there are vacancies. kicked him off the porch and told him if he ever came back again I would

"I left the house soon after-that," Mr. Warner continued. "Later I saw my daughter-in-law in my apartment in Manhattan and told her I had heard she sad spent the day of the Red Cross parade in Holbrook's apartment. She denied it."

Thereafter Mr. Warner testified to the part he had in the raid on an at the Pekin and Daly's restaurants apartment where Mrs. Warner, Jr., and at the Hotel Endicott was folwas found at Goshen Inn Labor Day. He told of the apartment being broken into and how he had found his daughter-in-law and Holbrook there. It was then, as previously testified, that Mrs. Warner stepped up to the father-inlaw and said, "I am sorry, daddy; don't tell Blaine. Kiss me. daddy."

Liquor Bills Were Heavy.

Soon after that, Mr. Warner testifled, his daughter-in-law wanted duct. money. While Charles Blaine Warner are held under \$300 ball each, to apwife \$27,000. "I paid many of her bills," he added, "and there were some America." represented by a semi-life pretty stiff ones for liquor." Under MISS MORTIMER FREE ON BAIL, cross-examination the elder Warner sected to some of the gowns Pleads Not Guilty to he had seen his daughter-in-law wear in her home at Kensington. One in particular, he said, was a transparent costume, the same she wore the night of the raid at Goshen Inn.

The other side of the raid story came from Mrs. May Fickling, 600 West 113th street, who insisted upon being classed as a showgirl and not a chorus girl, because, she said, she didn't dance. by the Federal Trade Commission that She just wore pretty clothes, cut decollete. Ex-Judge Isaac Oeland, Mr Warner's lawyer, wanted to know if they weren't cut low, and she answered affirmatively. And then he wanted to know if they were cut high "from the bottom," and she said no

Mrs. Fickling insisted Mrs. Warner peated charges of combination. We was in her room when the raid was night for the presentation of a mowith all other packers, both in the buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying of live stock and the sale of made and that Holbrook was occupy-buying able to making a hideous mistake in thus estate is bounded and the sale of the made and that Holbrook was occupy-buying able to making a hideous mistake in thus estate is bounded and the sale of the made and the sale of the sale of the sale of the made and the sale of the sale matters that have been fully answered the bathroom, which divided it from Holbrook's room." She said the raiders for the apparent purpose of arousing rushed in and forced Mrs. Warner into the room with Holbrook and Mato of Maspeth, L. I. try. The best industrial, governmenal closed the door behind them. She said and publicity efforts should be construction then the elder Warner came into the room and Mrs. Warner told him she ARTIFICIAL ICE TAX izing conditions and establishing business on a sound basis." was innocent, and the father-in-law ness on a sound basis." bad. Mrs. Fickling testified she never had seen any improper acts between Mrs. Warner and the corespondent. He always acted "like a gentleman should," she said.

The case probably will be concluded

France were guests yesterday of the CITY HALL PARK WILL that writing letters confessing to ing of the new garage and burracks of LOSE BOND CHIMNEY and Queens Boulevard. Long Island Shaft of Bricks to Begin Fading Away To-day.

fence, will begin to fade out of the City Hall Park landscape this morning Mrs. William Randolph Hearst and some of the other lady defenders of the Mayor's committee once gave Mr. Odell with these companies." rooms, to be used by the women driv- shelter to the idea that the chimney might stay there for ever and eyer, tee the big ice harvesters against loss but when the idea reached the public sat year when it appeared probable the defending ladies didn't have the that there would be an ice shortage in

So down it comes at the hand of Al-

SHUTS CHURCHILL'S Begins Appeal for New Good Conduct Rule.

Captain Refuses Employees' Demand for \$40,000 Annual Wage Increase.

She Declares Holbrook "Al- Trouble Spreads to Pekin and Daly's Restaurants and, Hotel Endicott.

Jaded Broadway habitues, drifting up through the Roaring Forties a member of the war time Sugar last night for their vesperal bite, got Board, went on the witness stand be- a real thrill when they lolled up to Forty-ninth street.

and added the final touch of liveliness Churchill's, "not a restaurant but an to the evidence that has been pro- institution," was dark. Cap'n Jim, Churchill's, "not a restaurant but an more unlike his debonair self than at action against Mrs. Louise G. Warner, any time since he quit the Police De-The elder Warner testified that partment, opened up a pretentious eatpacing his acres of snowy linen in

always lived during the summer with anxiously, for he had a strike on his The hands. The entire Churchill entourage, younger Warner, he testified, occupied consisting of some 240 waiters, chefs his New York apartment in the win- kitchen help and bus boys, had walked out at 7 o'clock, leaving him the disconsolate monarch of all he surveyed. itarium, Mr. Warner testified, his The only grain of satisfaction Capt. daughter-in-law telephoned and asked Churchill was able to console himself The only grain of satisfaction Capt. He with was the fact that he learned of promised he would, but was held later the impending strike in time to warn than he expected at a business con- his early evening patrons not to order ference in New Jersey. That made food. So that when he informed a it necessary for him, according to his delegation representing his employees

there were no patrons with orders un filled. Circumstances were altered a little At midnight the Captain was in

The situation as it developed yesteracting as hostess to a house party of day is being viewed with complacency shadows," he said, and when she did sociation, have scarcely been affected finally emerge where he could get a by the withdrawal of help due to the good view of her she was accompanied extension of the strike. The several by Harry F. Holbrook, a member of restaurants at which walkouts have the New York Athletic Club, who has taken place are declared to have been supplied with competent help. It is asserted by the hotel men that some of "I said, the strikers are applying for their old jobs. They are receiving the places

As showing how well they have the situation in hand, the association yesterday announced that its labor bureau had responded to an emergency call from the steward of the U. S. S. George Washington requesting that waiters and cooks be provided to serve the Presidential party on the trip abroad. The best men at hand were supplied

mmediately. A lockout of the waiters and cooks lowed by a strike declaration against

More than thirty pickets have been arrested in the past two days. It is alleged by the police that the rules covering picketing have been violated The union agreed to post only four pickets before each establishment. Wherever more appeared they were arrested on charges of disorderly con-The pickets taken yesterday away, he said, he gave the son's pear this morning in the West Side

Charge. Miss Edith Mortimer, daughter Stanley Mortimer of Wheatly Hills, Richmond L. I., entered a plea of not guilty yesterday when she was arraigned before County Judge Humphrey in the Long Island City Court on an indictmen charging manslaughter in the second degree, recently returned by Queens county Grand Jury.

father furnished \$10,000 bail and she was released Miss Mortimer was in the court room about half an hour and appeared under a great nervous strain. Her attorney, Thomas L. Hughes, assisted

her when she was called to stand before the bench. motor car driven by Miss Mortimer is throughout six feet five inches of alleged to have killed Nathan Wasser- length and through and across a corand Martin de

TO BE INVESTIGATED

Have Been Raised.

The fund created by R. B. Odell, Ice Controller, by the 55 cents a ton tax against manufacture of artificial ice vill be investigated by the District Attorney's office. This was announced yesterday by Edwin P. Kilrov, Assistant District Attorney, who is making preliminary investigation to precede the John Doe inquiry suggested by Mayor Hylan.

"This tax has no warrant in law," Mr. Kilroe said. "I am reliably informed that upward of \$500,000 has been collected in this way, ostensibly to reimburse the Burns Bros. Company and the Knickerbocker Ice Company for ice unsold under contracts made by

The fund was established to guaranheart to attempt a defence of the chim- the summer unless a price for the harvesters was guaranteed. H. J. Rothschild, president of the

contractor, who has Washington Heights fce Corporation. paid \$300 for the privilege of taking admitted that his company was not it down and carting away the bricks. taxed 55 cents a ton on its output, as Burns took a piec of her 26, left an estate of more than Some of the bricks won't be carted other artificial ice plants were. He other indictments would be quashed.

He had been convicted six times.

"You knew you could be sent up for life as an habitual criminal?" asked

asked ## Those who desired, were permitted was essential for his company to igautograph their bricks, and now nore ice prices as fixed by the Con-"I knew better," he'snapped back. Queens, L. I. The latter gets \$100.000 they will be permitted to buy them troller or "see our industry perish knew I could not."

Additional and is named as residuary back, at 50 cents per buy and a post from unfair trade methods" of other card picture of the shaft. President companies, and as a result of this com-Wilson autographed two bricks for the petition residents of Washington chimney. They will be sold at anc- Heights were give to get ice at a lower tion and then all the money will be rate than the residents of any other section of the city.

WIRE FRAUD KING FIGHTS FOR CONVICTS

Appeal is to be made to the highest judicial tribunal in the State for "lus tice" in the matter of time off for in mates of Sing Sing prison. Where prisoners now get ten days off for every forty of good conduct, they will presently get ten days for every thirty, if Charles Gondorf's wishes

prevail with the Court of Appeals. Gondorf, alias Charles McDonald known in the world of crime as tho 'King of Wiretappers," consulted an Ossining attorney yesterday morning few minutes after he had completed his four year term.

Despite the fact that his wife, in a luxuriously furnished suits in an Atlantic City hotel, was anxiously awaiting his return. Gondorf shoved into his pocket the railroad ticket which the State had given him and announced that he was going to stay in Ossining until the legal machinery for righting the monstrous wrong in the matter of good conduct time was

set in motion In quitting Sing Sing Gondorf Charles Blaine Warner, his son, was drink-and-be-merry place and threw leaves vacant the very desirable berth ill last June and compelled to rest in away the key, could be seen anxiously of "fire chief." In Thomas Mott Osborne's regime Gondorf, as one of the leaders of the "Tammany" element in the Mutual Welfare League, And well might Cap'n Jim pace thus threw many a pang into the heart of the warden by blocking some of Mr. Osborne's pet plans. Finally the warden brought about the transfer of the nsurgent to another prison, but when Warden Moyer took charge the "king" managed to be sent back to the Ossining resort, where he became director of the prison fire fighting force.

GEMS ON VIEW; \$500 A PEEP.

\$200,000 of Alien Jewels Will B Auctioned To-morrow.

Upon the deposit of \$500 cash to assure the Alien Property Custodian that you are not a trifler you may have a peep at \$200,000 worth of pearls, rubles and emeralds which will again be displayed between the hours of 1:30 and 4 o'clock P. M. today, the same as yesterday, in Room 524, 110 West Forty-second atreet, Bureau of Sales, Alien Property Custodian.

Upon the further payment of \$500 cash you may become a bidder upon this dazzling assortment, which embraces 359 pearls, three rubles and two emeralds, separated into thirtyeight lots, one comprising a group of fifty-four "perfectly matched high rose, graded and strung" pearls, aggregating 427.92 grains and averaging .92 grains each

There is a dear cushion shaped ruby of 3.87 carats and a very brilliant ruby of 8.59 carats. One of the emeralds is square and

the other, of 37.04 carate, is drop shaped. It was formerly the property of Rudolph Hahn & Sone of London England, and on consignment to a firm here. The firm reported it to the Alien Property Custodian. A public auction of the jewels will take place at 11 o'clock to-morrow morning

INFLUENZA CASES INCREASE.

145 Are Reported, a Jump Over Monday's Total.

Reports to the Department of Health indicated 145 new cases of influenza vesterday, an increase of 62 over Monday. There were \$4 deaths, as against 25 the day before. Forty-one cases of pneumonia were reported, 10 more than during the preceding twen- sure has never been given to man to ty-four hours. There were 20 deaths see from the disease. The reports on Tuesdays are usually heavier than on iments). The two artillery forces ours

Boroughs.

TRAFFIC COP ABSENT, BROADWAY EXCITED

"Babe" McDonald Warm Greeting on Return.

Broadway, in the Longacre Square ing, the night of October 19, when the als and cups, was completely dead ing units."

responding depth and width. Just because Babe McDenald didn't Club yesterday afternoon, Major Lord-Monday all the big street insisted that Battation of the Fifteenth New York Fund of \$500,000 Said to as Babe, although not dead, was in when the Germans started barsing the

show up at his Breadway post on Monday all the big street insistsed that Babe had died of croup or housemaid's knee or something. And Broadway almost had the story correct, inammucia as Babe, aithough not dead, was in New Jorsey.

When Babe came back on the Joby sesterday morning he stood gracefully in the middle of the Broadway-Forty-third street intersection, his left elbow resting easily on the caves of the George M. Cohan Theatre, his right arm reaching far down to the street below so that he could pump hindle all the thentical and kindred celebratives who had an important the street below so that he could pump hindle garmed and machine garmed to the heaven. George Cohan himself, San Harris, De Wolf Hopper, Dick Burnside, Frank Case, Augustus Thomas, Miss Flora Zabelle, Roll Cooper Megrue, Mary Blyth Craven, Jonk Hazzard, Miss Ann Hazzard, John Craven, John Benham, Bill Courtenay—th fact, the classless throng of celebraties ever pixeled for speeding, stood on stepladders and shooks of celebrate ever unafraid, on july 15 they were controlled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding, stood on stepladders and shooks of celebrate ever unafraid, on july 15 they were controlled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding, stood on stepladders and shooks of celebrate ever pixeled for speeding as sood on stepladders and shooks of celebrate ever pixeled for speeding as sood on stepladders and shooks of celebrates ever pixeled for speeding as sood on stepladders and shooks of celebrates ever pixeled for speedi shock hands with Babe throughout the ordered to take up front line positions whole day.

world's record during the day; for the and in some cases units went up with first time since Mark Twain said it only non-coms in charge. In the fight originally Babe did not once say, "The west of the Argonne, when we were report of my death was greatly exag- brigaded with the Fourth French gerated." Instead he repeated over Army, these boys did nobly, and on A and over to all his joyous well wishers, one occasion when we were caught in uttering the words in a weak and a box barrage and fought the enemy. apologetic manner, "I just spent the without a man leaving his post, day over in New Jersey."

Barnits Now in Homicide squad. George Barnitz, first grade detective. who has been a First Lieutenant in the Naval Intelligence Bureau for a Capt. Arthur Carey.

HAYWARD TELLS OF ALLEGED SPY HELD NEGROES' HEROISM ON MURDER CHARGE

Tighting in Which New Yorkers Took Part.

FRENCH AWARD CROSSES PLAN TO EXTRADITE HIM

Major Spencer, on Crutches, Defendant Accused of Placing Describes Bravery Shown Under Rain of Shells.

Col William Hayward, former Pubte Service Commissioner and now commanding officer of the eld Fifteenth New York Infantry, tells of the experiences of the State's negro regiment in the great offensive in a letter just received by Gov. Charles S. Whitman. The letter, as given to the public yesterday with the permission of the Governor, said in part:

"There is so much to write about I feel like throwing down my pen and giving up, for to write one-tenth would fill a great book-and what shall I leave out?

great offensive starting September 26. It expresses it mildly. At times it semed to me we were the offensive. Twelve days and nights our division (French) fought on. We advanced fourteen kilometers (nine or ten miles). "We had two weeks out for rest hen back in line in a sector the mere mention of which makes the Frenchman, officer and poliu, raise his eye-brows and shrug his shoulders. We lost a man an hour and an officer a day there for a while. It was from this sector we attacked on September 26, though all but two battalions of our division were out tuning up for sev-

Into the Jaws of Death.

"At 5:25 we started and after that for twelve days it was inch by inch. foot by foot. German cannons and machine guns it seemed to me were just growing out of the ground. Lorry (Major Lorillard Spencer, Whitman's military secretary) was hit six times by machine guns aimost at the start.

"We had everything happen to us which ever happened to a regimen and a lot of things we got up for the first time. I'm sure. It was the most terrible experience, and yet perfectly fascinating and marvellous

"I can't attempt to describe those the attacks against acres of barbed wire, trenches, ridges, ruined towns and the old Boche fighting like tiger to keep each one. I saw shells fall on water and explode the same as if they had hit the ground. When we crossed the D- River the Boche had our range and the water looked like n hailstorm was falling on its surface. We went across a cemetery which had been used up to the time of the attack in one town, a civilian cemetery Our guns and theirs had literally blown the graves out into the open The recently killed soldiers were by no means the most gruesome sight a

that revolting place.

Vision of Terrible Fighting. "We finally on the fourth day gained the heights overlooking the marvellous plain and valley and I saw what I'm before. I saw four divisions of our troops attack abreast (twelve reg- that in the event of the extradition other days. The returns by boroughs and Boche, firing from behind, laid request being denied or if the man is down terrible barrages on each other's acquitted in the British courts he is erally go-against each other's infantry and not each other). It was like fortune and to have served under ip earth, men and debris for four

kilometers that I could see. "Major Little's battalion was leading there and getting romped hard. The air was full constantly of battles between individual planes and whole escadrilles. We saw fifty-seven French | trip to South America, planes go over together, but the Boch where our line was for his artillery to

burn us up. day flight and just remained standing for its colors and each officer men to an appalling rumor that Traffic Cop the Lieutenant or other one at G. Hospital and the rest of the H. Q. A. E. F., decides the French are receive \$17,436 each. The rest of the and Weight Hurler Patrick Babe Mc- not making a hideous mistake in thus estate is divided among relatives and mobile accident on Broadway, Flush- street when not winning athletic med- ated through aid stations of neighbor-

Bravery of Spencer's Men.

Resting on his crutches in the Union see P. show up at his Broadway post on lard Spencer, commander of the Third

speeding, stood on stepladders and were unafraid. On July 15 they were and the road was shelled continually Incidentally Babe broke still another Some companies had only two officers twenty-four were cited by the French General for bravery."

Tex Rickard Falls to Appear. Tex Rickard, the fight promoter.

falled to appear yesterday morning in the City Court, whither he had been subpoensed to testify in connection with a judgment of \$1,700 held against him by Joseph R Miles. Note of his default was made.

Iterate Hall, \$15 P. M. Brooklyn can be done, and are local factorial to the connection of the Superior Catholic Club. Institute.

Meeting of the Alumni Association of the canally well, by individuals a graph of individuals." the resolution \$100 Central Park South \$100 P. M. G. Wilson of Cleveland, this was default was made. year on a leave of absence from the the City Court, whither he had been Police Department, returned to duty subprenaed to testify in connection yesterday. He was assigned to the with a judgment of \$1,700 held against homicide squad, under command of him by Joseph R. Miles. Note of his

Colonel Pictures the Terrific Frederick Fredericks Rearrested Here at Instance of British Officials.

Bombs on Ship, Which Killed Three Men.

Frederick Fredericks, alias Capt. Fritz Joubert Duquesne, alleged German secret agent, was rearrested yesterday on an extradition warrant charging murder, issued by United States Commissioner Samuel M. Hitchcock at the instance of C. Clive Bayley, Consul-General for Great Britain. upon his release on suspended sentence by Judge Joseph Mulqueen in General Sessions yesterday afternoon.

Fredericks was taken before the Commissioner by Deputy United States Marshal James Dempsey and Capt. Busby of the Military Intelligence "You surely have heard we're in the Branch, and arraigned on the extradition warrant. He was held without ball for examination on December 23. His counsel, Attorney Fred Ware, will renew the fight he has been making for the last year to have Fredericks pronounced insane by the courts.

Indicted on Fraud Charge.

The defendant was indicted nearly a year ago on the charge of making a fraudulent claim for fire insurance amounting to \$39,000 against the Stuyvesant Insurance Company of this city to cover a number of cases which he alleged contained motion picture films and which were destroyed when a Brooklyn storage warehouse was burned. While held on this charge the British Government made requisition for him to answer to a charge of murder on the high seas.

It is alleged by the British authorities that Fredericks, while working under instructions of the German Government, placed packing cases alleged to contain samples of minerals on the teamship Tennyson, which sailed from Bahia, Brazil, about February 14, 1916 Explosives concealed in the were timed to go off while the bont was at sea, it is alleged, for the puroose of destroying the ship. An explosion took place and caused the death of three men, among them M. J. Reid, a boatswain, with whose murder Fredericks is now specifically charged.

Practically since the date of his arrest Fredericks has been fighting to keep out of the hands of the British authorities, who intend to extradite him and place him on trial in England for the alleged offence. Some time ago application was formally made for the man by representatives of the Britist

Government in this city, but action

was withheld while the prisoner was

under observation in the Mattaeway

State Hospital for the Insane. Ho was

recently pronounced sane and returned to the Tombs. In court yesterday, when Fredericks appeared for sentence on the charge of attempted fraud, Alexander Horke, Assistant District went into the case and Judge Mul-queen suspended sentence on that indictment. It was understood, however

to be returned to New York and the Fredericks claims to be a soldier of Gens. Joubert, De Wet and Botha as a captain of engineers in the Boet army. Letters indicating that he was a German spy were found among his papers at the time of his arrest. had just returned from an extensive

Mrs. Clara S. Macy Leaves \$403,348 it seemed to me, could always send a plane over us to indicate by rockets. Clara Sutten Macy, who died November 3, 1917, left a not estate of \$403,348 in stocks and bonds, including "Suffice it to say we got cited, the regi- \$5,000 of Liberty bonds. Her daugh neighborhood, stood stock still on Mon-ment will receive the Croix de Guerre ter, Mary S. Macy, 101 West Eightieth street, is given \$15,000 outright and around until yesterday morning, owing the distribution of the personally, provided life interest in \$270,948. St. Luke's to an appealing rumor that Traffic Co.

EVENTS TO-DAY.

Lecture by Prof. Bourg before the Music Students Leugue, at West Fortieth acres: 830 P. M. Annual meeting of the Association of Na-tional Advertisers, give. Wallorf Astoria, all day Meeting of the Railway Executives Advis-ory Committee, Chamber of Commerce.

P. M.
Discussion of capital nunchment is the Humanitarian Cuit, Carnegie Hall a P. M.
National Society of Patrioti Women of Matrices Walderf Astoria. T.P. M.
Pitelity and Deposit company of Matrices, P. M.; dimer, Walder, Walder, Science, S.P. M.
Brotherhood of Commercial Teaching.

Astoria, & P. M.

Brotherhood of commercial Travellers meeting Wildorf Astoria, & P. M.

Brotherhood of commercial Travellers meeting Wildorf Astoria, & P. M.

American Warehousemin Association, meeting. Hotel McAlpin, 11 day.

Vacation Association Juncheon Hotel McAlpin, 1 P. M.

Big Sisters of Queens Borough, meeting. Hotel McAlpin, 10 Do A. M.

Sew York Section Atlantic Shipbuilders direct, Hotel McAlpin, 7 P. M.

Greater New York Music Publishers Association, luncheon, Hotel McAlpin, 1 P. M.

National Association of Clothing Designers, meeting, Hotel McAlpin, 8 P. M.

Travel talk by E. M. Newman on London, 1815. Music Hall, 815 P. M.; leving by M. Paul Leysac on "Modern French brams" Lecture Hall, 815 P. M., Prooklyn Institute, Meeting of the Alumni Association of the Money and are least those fields of onleaver when the causal world.

The Sun Calendar

THE WEATHER. Eastern New York-Rain in south rain or snow in north portion to-day, to-morrow probably fair and slight; colder; fresh south to west winds.

colder; fresh south to west winds.

Southern New England—Rain to-day, to-morrow probably fair, colder; modered to fresh south to west winds.

Northern New England—Snow in sorts, rain or snow in south portion lo-day to morrow generally fair, slightly colder in New Hampshire and vermon; modered shifting winds.

New Jersey—Unsettled to-day, probably rain to-morrow fair, slightly colder; mustrate to fresh southwest to arest winds.

Western New York—Rain or snow to day; slightly colder in west portion to morrow generally fair.

WASHINGTON, Dec. 3.—The disturbance of Morday night is night over extreme southwest of guite pronounced form. It has tended by general rains and shicks region and light local rains and shicks region and light local rains of the second of th continued high pressure in the Soi and extreme West. Temperatura risen considerably in New England, middle Atlantic States and as above the seasonal average through country, except in the extreme Snow will continue Wednesday in terminal Show will continue wednestay in region and rain or since in New and the middle Atlantic States, for scenarally fair weather laurelay the southward the weather will bally fair Wednesday and Thursday and weather will be somewhat saider Wednesday be somewhat confer Wellnesser in lower lake region and on Thursday in middle Atlantic States, southern and we ern New England.

Observations taken at United States Weaks
Bureau stations at 8 P. M. yesterday, sersity.

Temperature Rainfall

Stations. High low ever Da his Weaks
Abilance. 61 50 50 50 Clear
Abilanty. 28 36 59.71 Clearly
Allantife City 50 42 59.91 Clearly
Raittimores. 54 44 29.74 Clearly
Raittimore. 50 50 50 50 Fe Clearly
Raittimore. 50 50 50 50 71 Clearly
Bussion. 44 40 59.71 Clearly
Bussion. 55 50 50.01 Clear
Chicago. 42 52 22 30 2 Snew
Clincingul. 66 44 25.75 Clearly
Clincingul. 66 44 25.75 Clearly

Jackson ville. Kansas City ertland, Me. Salt Lake City

LOCAL WEATHER RECORDS Recently Pronounced Sanc. 9 A. M. . 85 24 2 M. . 42 24 8 P. M. . 44 40 # P. M # P. M 11 Mid. 24 40 Highest temperature, 45, at Lowest temperature, 51, at 1 Average temperature, 40.

MARINE INTELLIGENCE

MINIATURE ALMANAC

HIGH WATER THIS DAY ook fits A M Gov Island Hell Gate 50 5 4 LOW WATER THIS DAY Randy Hook 123 A M Gas Island to AX Hell Gate ARRIVALS THESDAY DZ davanger()ord Chyletic un-klengs, St. Visness Nov. Jumminium alteritar Nov.

8. Mortis (Trainin) Nov. 8. Takushima Maru S. L. 8. Kilani Halitax Nov. 28. Sangun, Georgelown, S. C. 8. Cherokier Savsinah Nov. 8. Pawner, Philadelphia, Dec. 8. Northland, Norfolk, Dec. Madison, Savantin, Nov. 8. Jamestown, Nov. 10. Let. ARBITED PROM NEW YORK

ARHYMED FROM NEW VO.

S. Enfarie, at Havre.

S. Western Comet, at Havre.

S. Original at Glassing.

S. Onsetland, at Retterdien.

S. Storviern, at Rotterdien.

S. Norwega, at Christiana.

S. Walter D. Murson, at Names.

S. El Alpa, at Galveston.

S. Nacoucher, at Savantah. SAILED FOR NEW YORK

Sa Rotterdam, from Amsterdam
Sa Kroathand, from Bres
Sa Hanns Nickon from Gibraitar
Sa City of Benares from Gibraitar
Sa Calemares from Horizon
I S nospital ship consider from Michael Michaels.

Sa Bookra, from Bayre.

Sa Clan Cumpung, from Gobods
is Winterwells, from Barry Ho.

Sa Hallfred, from Barry Artes
Sa Dawnite, from Santos
Sa Parus, from Para.

Sa Apache, from Charleston.

PUBLIC LECTURES TO NIGHT.

"Unknown Australia" by Mars at \$100°, P. S. 16. Houston and a timeson street left Vertes. Hustrated by Units, a mile of 2